Canadian Human Rights Commission
Commission canadienne des droits de la personne

CORRESPONDENCE NOTICE
AVIS DE CORRESPONDANCE

Received "by hand/facsimile"
Reçue "par porteur/télécopieur" N/A

Addressed to:
Adressée à: S. Beaty

Main file charged to:
Dossier principal chargé à: _____

Remarks:
Remarques: Please advise if the attached should be cross-referenced to C. Brown's complaint file H30365 (closed)

YES SB 3/11/89

Initials _____ Date _____
Records Unit

NT: What about C. Brown's new complaint file? VP

CHRC-cc (05-89) 78

MAIN FILE NO. - DOSSIER PRINCIPAL N°

1200-32-1

T D NO. - DOSSIER TEMPORAIRE N°

9312

OBJECT - OBJET

All correct file nos. in corresp. ✓

Government of Canada / Gouvernement du Canada

TEMPORARY DOCKET / **DOSSIER TEMPORAIRE**

Referred To Remis à	Remarks Remarques	Initials Initiales	Date	PA Date Date classé	Initials Initiales	BF Date Date rappelé
Dwyer	89-11-03-20519	CD	89-11-08	8.11.89		
	file to be located					

Government of Canada / Gouvernement du Canada

MEMORANDUM **NOTE DE SERVICE**

P/A

020718

TO / A: File
c.c. Stuart Beaty

FROM / DE: John Dwyer
Policy Analyst

SECURITY - CLASSIFICATION - DE SÉCURITÉ
OUR FILE/NOTRE RÉFÉRENCE: H31381-HQ; 1386-1; 1020-6
YOUR FILE/VOTRE RÉFÉRENCE
DATE: October 6, 1989

SUBJECT / OBJET: Chris Brown and Environmental Sensitivity

Chris called, very upset, about the proposed meeting between Clinical Ecologists and Allergists/Immunologists. He has two problems:

1. His concern is not a medical one, it is one involving the basic dignity and worth of the individual. He feels that his experience, and those of others who suffer from sensitivities, is being ignored. He is extremely frustrated by an officialdom (CHRC included) that seems to want "proof" of what he experiences and thereby turn the question into a medical one. At the least, he believes that the experinces of the environmentally sensitive have to be accepted as real and legitimate and not discounted as being imaginary unless there is proof that that is so. In other words, the onus is on the medical community (and Health and Welfare) to show environmental sensitivity is a psychological problem if it is to make that claim. Moreover, they must recognize its existence. (He referred to a recent television interview with a Health and Welfare spokesperson who claimed that nobody gets ill from pesticides present in fruits and vegetables.)

2. The debate does not include those who are themselves most intimately involved: the environmentally sensitive. The two parties do not and cannot represent their interests; in fact, they have their own vested interests that run counter to those who suffer from the syndrome.

.../2

I tried to express the idea that the recognition of a person's experience as real had economic consequences and therefore could not be entirely divorced from the medical question. He was not impressed with this and saw in it another example of the Commission making a medical issue out of a human rights issue. Moreover, he was upset with the implication that recognizing his experience as real was a first step, and not a given. He explained quite powerfully the effect that denying an individual's experiences as legitimate have on a person.

I had to agree in principle that representatives of the affected groups should be party to discussions concerning them and hoped that follow-up process might provide for this. (I did not, but feel we might when we next contact Losos, suggest that they be included in the current discussions.) I agreed to call the President of the Human Ecology Foundation to get his views (Ed Lowans 519-941-6499). Mr. Lowans made the same point about the need for someone to speak on their behalf. I said I would see what I could do. I took the opportunity to talk about the Foundation and environmental sensitivity generally with Mr. Lowans. He said that the Foundation, the largest self-help, service-oriented group representing the environmentally sensitive, had 1200 families as members. He also said that a survey showed that clinical ecologists had dealt with 30,000 different patients over the last five years. Lastly, it has been estimated that 10% of the population suffers from Epstein-Barr syndrome. These are indications that the problem is not all that rare.

Government of Canada / Gouvernement du Canada

MEMORANDUM **NOTE DE SERVICE**

P/A

920721

TO / A: File
c.c. Stuart Beaty

FROM / DE: John Dwyer

SECURITY - CLASSIFICATION - DE SÉCURITÉ
OUR FILE/NOTRE RÉFÉRENCE: H31381-HQ; 1386-1; 1020-6
YOUR FILE/VOTRE RÉFÉRENCE
DATE: October 12, 1989

SUBJECT / OBJET: CHRC and environmental sensitivity

(10.10.89)

Chris Brown called again to complain about the Commission's response to his concerns. He continues to insist that the Commission is misrepresenting these concerns and allowing Health and Welfare to respond to those misrepresentations. The issue is not a medical one; it is an issue involving human dignity. When I asked what he suggested we do, he said we should publicly proclaim that people are disabled as a result of their sensitivities and that, while there may be much medical controversy about diagnosis, causes and treatment for that disability, there was no reason to "blame the victim" by assuming the problem was of their own making.

Another call (12.10.89) to express dissatisfaction and to say he now has the support of both Dr Halliday and Dr Pastakhan (MP's, both on Human Rights Committee). He says he has been invited to submit something to the Committee.

P/A

Government of Canada / Gouvernement du Canada

MEMORANDUM **NOTE DE SERVICE**

920720

TO: John Dwyer

FROM / DE: Stuart Beaty

SECURITY - CLASSIFICATION - DE SÉCURITÉ
OUR FILE/NOTRE RÉFÉRENCE: H31381-HQ 1386-1; 1020-6
YOUR FILE/VOTRE RÉFÉRENCE
DATE: October 13, 1989

SUBJECT / OBJET: CHRC and Environmental Sensitivity

Further to your recent notes to file on the above and the concerns expressed by Mr. Chris Brown, I think I understand the point that Mr. Brown is trying to make, but I think his way of formulating the issue — at least as you report it — makes a distinction between the "human dignity" issue which attaches to the fact "that people are disabled as a result of their sensitivities" and something called a "medical issue" which is not in fact a clear-cut or water-tight distinction.

As I understand the situation, there are two main matters that Mr. Brown wants the Commission to address:

1. the Commission's own public responsibility to speak out against the "blaming the victim" syndrome; and

2. the Commission's role in challenging or persuading other institutions (e.g. HW Canada) to take a public position (with some broad administrative consequences) on the right of human individuals to determine or define for themselves what ails them ("I know how/what I feel etc."), or the responibility of public bodies to try to obtain independent proofs.

Personally, I see no reason why one should exclude or contradict the other. The Commission can give public support to the victims in their distress without renouncing the responsibility to deal with the second issue on its own terms. The reason the issue is, in part, "a medical one", or I would say "a health one", is because Mr. Brown wants, among other things, the national health authorities to take a more helpful position. The Commission's speaking out will do little, if anything, without the second. Let's discuss.

Government of Canada / Gouvernement du Canada

MEMORANDUM **NOTE DE SERVICE**

P/A

020719

TO / A: File
c.c. S. Beaty

FROM / DE: John Dwyer

SECURITY - CLASSIFICATION - DE SÉCURITÉ:

OUR FILE/NOTRE RÉFÉRENCE: H31381; 1386-1; 1020-6

YOUR FILE/VOTRE RÉFÉRENCE:

DATE: October 19, 1989

SUBJECT / OBJET: Environmental sensitivity

Chris Brown called (13.10.89) to say that a very small effort on his part resulted in the following coming to light:

- in 1987 the Director of the Environmental Health Section wrote a memo to the Minister of Health and Welfare which recognized environmental sensitivity as a legitimate medical condition

- briefing notes prepared for the Minister (Jake Epp) supporting the notion that environmental sensitivities was a compendium of reactions to environmental contaminants were routinely changed in the Minister's office. Chris called late that same day to say he had found evidence of "note tampering".

He called back on the 18th to say that Dr. Maureen Law has clarified for him that what she referred to as controversy in the medical profession surrounding environmental sensitivity before a Parliamentary Committee involved diagnosis and treatment only and not whether the disorder existed.

Canadian Human Rights Commission / Commission canadienne des droits de la personne

JD yp
JD
SB
JH - FYI
MY - FYI
H31381-HQ
1020-6
1386-1

October 30, 1989

Dr. J.Z. Losos
Director General
Laboratory Centre for Disease Control
Health and Welfare Canada
Room 106, Tunney's Pasture
Ottawa, Ontario
K1A OL2

Dear Dr. Losos:

I am writing because I thought you might be interested in hearing, second hand, about some of the concerns that have been expressed to the Commission most recently by persons suffering from environmental sensitivity.

One individual related to me an experience he had some three years ago with Health and Welfare medical officers who had been asked to examine him by his employer, a federal Department. According to the individual concerned, the medical expert who examined him gave him a battery of psychometric tests and, in addition, had him undergo handwriting analysis. He alleges that the Doctor concluded that his condition was based both on environmental sensitivities (50%) and somatization disorder (50%). The diagnosis of a somatization disorder was allegedly made on the basis of the handwriting analysis, and because the Doctor involved wanted "to maintain his credibility"; the psychometric testing showed no disorder. The same individual is now experiencing difficulty obtaining long-term disability benefits from his employer-sponsored Plan and has been referred to an immunologist for assessment.

Another case that has been brought to my attention reflects the administrative repercussions of what may appear to be discriminatory distinctions among different forms of disability. It concerns a nurse from Northern Ontario who believes that she is not treated in the same way as other persons with disabilities. She says she is denied the Northern Travel Grant because she visits a clinical ecologist and not an allergist. Further, her drug plan does not pay for evocative testing even though it would cover traditional allergy testing. She claims to have gone to a traditional allergist for fifteen years and, in her words, to have kept getting worse before trying, and benefiting from, the non-traditional approach.

.../2

I raise these two cases with you because I think they typify the kind of complaint we hear quite frequently from people who suffer from environmental sensitivities; some seem to reflect insensitivity or lack of knowledge on the part of the medical profession, or the assumption that the disorder is psychosomatic in nature; others involve the failure to recognize certain treatment methods for medical insurance purposes.

I must also mention that a number of individuals who suffer from EHS are concerned that they have not been included in the meetings you have arranged between the clinical ecologist and allergist/immunologist. They feel that, as a matter of principle, the individuals who are most directly involved should also be a part of that proceeding. I wonder if it is too late at this point in time to see whether this can be done. If it could be arranged, I would suggest you contact Mr. Ed Lowans, President of the Human Ecology Foundation (519-941-6499). He is, in my opinion, the best choice as a representative of that particular disabled group.

Yours sincerely,

John ~~Dwyer~~
Policy Advisor to the
Chief Commissioner

1132-1

cc plaid H31381-HQ
1020-6
1386-1

Health and Welfare Canada / Santé et Bien-être social Canada

Health Protection Branch / Direction générale de la protection de la santé

Laboratory Centre for Disease Control
OTTAWA, Ontario
K1A 0L2

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CHRC/C
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Mr. Stuart Beaty
Director General
Policy and Communications
Canadian Human Rights Commission
400 - 90 Sparks Street
OTTAWA, Ontario
K1A 1E1

Dear Mr. Beaty:

As promised at our recent meeting, this is to update you in relation to additional Departmental activities in connection with environmental sensitivities.

I am inviting to a planning meeting in mid-November, in Ottawa, representatives from the following organizations to prepare for a national workshop on environmental sensitivities. These include:

The Canadian Society for Environmental Medicine;
The Allergy and Environmental Health Association of Ontario;
The Allergy Information Association;
The Canadian Society of Allergists and Immunologists, and
The Canadian Medical Association.

The Associations are being requested to outline their concerns, to give advice on topics which should be discussed and to recommend names of persons they believe should participate.

I have discussed this matter over the phone with Mr. Chris Brown, and I trust that this approach will result in new initiatives in addition to activities currently underway in the Department. I can assure you that we will collaborate actively with these organizations to try to alleviate the problems being experienced by people suffering from this syndrome.

Yours truly,

J.Z. Losos, MD, DECH, FRCP(C), FACPM
Director General

Canada

Health and Welfare Canada
Santé et Bien-être social Canada

Health Protection Branch
Direction générale de la protection de la santé

Laboratory Centre for Disease Control
OTTAWA, Ontario
K1A 0L2

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appendix 20-4
020519 1811-1

November 3, 1989

Mr. John Dwyer
Policy Advisor to the Chief Commissioner
Canadian Human Rights Commission
Ottawa, Ontario
K1A 1E1

Dear Mr. Dwyer:

Thank you for your letter of October 30 expressing the concerns of some persons suffering from environmental sensitivity who have been in touch with the Commission.

I have taken your comments under advisement. In addition, I have taken the liberty of forwarding copies of your letter and this response to Mr. R.E. Ballantyne, Acting Director General, Personnel Administration Branch, who has responsibility for compensation matters, and to Mr. C.E. Tupper, Director General, Public Service Health Directorate, for comment.

In respect to the forthcoming meeting on environmental sensitivities to be held in Ottawa, Ms. Jacky Roddy, Executive Director, Allergy and Environmental Health Association (which I understand was formerly called the Human Ecology Foundation), will be in attendance. My staff has received requests from several members of this group and in discussion with Ms. Roddy, it was agreed that we would communicate solely through her. Members of this group are very active and I am sure you will agree that it will only add to the confusion if we were to include all who would wish to be invited.

.../2

Canada

Mr. John Dwyer

I may add that concern has also been expressed by other invitees that there should be an appropriate balance in representation from the traditional allergy groups versus the human ecology groups.

I believe those who have been invited will be able to represent very adequately the concerns of their "clients", and I hope that this approach meets with your approval.

Yours truly,

J.Z. Losos, MD, DECH, FRCP(C), FACPM
Director General

cc: Mr. R.E. Ballantyne
Mr. C.E. Tupper

Government of Canada / Gouvernement du Canada

MEMORANDUM **NOTE DE SERVICE**

TO / À: Note to File
c.c. Oksana Zyla
Stuart Beaty
John Dwyer

021074

FROM / DE: Sally Southey
Chief, Media Relations and
Special Events

'89 NOV 25 AM 9 53

SECURITY - CLASSIFICATION - DE SÉCURITÉ:

OUR FILE/NOTRE RÉFÉRENCE: H-31381-(HQ)

YOUR FILE/VOTRE RÉFÉRENCE:

DATE: Nov. 24, 1989

SUBJECT / OBJET: **Chris Brown**

During the last few days I have had several unpleasant phone calls from Chris Brown, which I would like to document.

On November 21st Mr. Brown called me and demanded to know why I had not returned his phone calls. I explained that I had not received the message, was in a meeting, and would call him back. I returned the call 20 minutes later. His answering machine was on so I left a message.

On November 22nd Mr. Brown called and began telling me the entire history of his complaints with the Commission and the problems of environmental sensitivity. I told him that we had been over these issues several times and asked him to specify the questions he needed for the articles he is writing for UN publications.

When he asked me why the Commission had dealt with his complaint in 1983 in such a discriminatory manner I told him that we would not comment on the decisions of the former Commission. I asked him to limit his questions to the Commissions actions since the current Chief Commissioner's appointment.

When he repeatedly probed on why the Commission was behaving in such a discriminatory manner I said that we had " decided that the best way to resolve the issue is to allow the medical community to debate it in an open forum with the consumer groups."

He was not satisfied with that response. I asked him to hold for a moment and he hung up the phone. Thinking I had made a mistake putting him on hold, I called him immediately and the phone was busy. (He had called John Dwyer to complain about my response.)

On November 23rd Mr. Brown called again. He identified himself and then said, "as you know I am most distressed at your response to my questions. I have chosen not to deal with you because I chose opponents who are honorable and I find you a stupid little snot. Good bye."

This is an account of my recent dealings with Mr. Brown.

Sally Southey

P.A.

Government of Canada / Gouvernement du Canada

MEMORANDUM **NOTE DE SERVICE**

TO / À: Memo to File
c.c. Oksana Zyla
Stuart Beaty
John Dwyer

FROM / DE: Charles Mojsej
Media Relations Officer

SECURITY - CLASSIFICATION - DE SÉCURITÉ:

OUR FILE/NOTRE RÉFÉRENCE: H-31381

YOUR FILE/VOTRE RÉFÉRENCE:

DATE: November 27, 1989

SUBJECT / OBJET: Telephone Conversation with Chris Brown:

Chris Brown is an individual concerned with people who are environmentally sensitive. John Dwyer, Sally Southey and I have tried to answer his questions to his satisfaction without much success.

His most recent phone call was on November 27. Mr. Brown made the following offer. He said he would be willing to offer me his support to back up any claim that Sally Southey was incapable of doing her job as she was inadequate in her knowledge of human rights issues.

I told Mr. Brown that I did not think I'd ever need his services, thanked him and terminated the phone call.

Charles Mojsej